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C O N F I D E N T I A L STATE 184515

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FOLLOWING REPEAT CARACAS 6626 SENT ACTION SECSTATE INFO BRASILIA
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QUOTE C O N F I D E N T I A L CARACAS 6626

E.O. 11652: GDS
TAGS: PLOS VE
SUBJECT: LOS -AMBASSADOR RICHARDSON'S CONSULTATION WITH
GOVERNMENT OF VENEZUELA

1. AMBASSADOR RICHARDSON DISCUSSED LAW OF THE SEA ISSUES
ON JULY 13 AND 14 WITH PRESIDENT PEREZ, FOREIGN MINISTER
CONSALVI AND AMBASSADOR AGUILAR, HEAD OF THE VENEZUELAN
DELEGATION TO THE LAW OF THE SEA CONFERENCE. THESE DISCUSSION
WERE MARKED BY CORDIALITY AND CANDOR, AND IN AMBASSADOR
RICHARDSON'S VIEW HAVE MATERIALLY PROMOTED THE PROSPECT OF
EVEN CLOSER COOPERATION BETWEEN OUR TWO DELEGATIONS.
ALTHOUGH THE VENEZUELAN GOVERNMENT REMAINS STAUNCHLY COMMITTED
TO THE BROAD OBJECTIVES OF THE GROUP OF 77, THEY INDICATED
FLEXIBILITY ON SEVERAL ASPECTS OF SEABED MINING AND A VERY
FORTHCOMING ATTITUDE ON OTHER ISSUES OF IMPORTANCE TO THE
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UNITED STATES.

2. THERE FOLLOWS A SUMMARY OF RICHARDSON'S TALKS WITH PRES.
PEREZ AND FOREIGN MINISTER CONSALVI. IN A SEPARATE
TELEGRAM WE WILL REPORT DISCUSSIONS WITH AMBASSADOR AGUILAR
AND HIS DELEGATION.

3. PEREZ:

AMBASSADOR RICHARDSON, ACCOMPANIED BY CHARGE CROWLEY, POL COUNSELOR FRECHETTE AND ALAN JAMES, WAS RECEIVED BY PERES PREZ FOR NEARLY AN HOUR ON JULY 14. THE PRESIDENT HAD WITH HIM ACTING FOREIGN MINISTER GOMEZ MANTELLINI AND AMBASSADOR AGUILAR. PREZ SAID HE WAS GLAD TO HEAR THAT RICHARDSON COULD ENVISAGE THE VENTUAL PROSPECT OF SIGNATURE OF THE TREATY IN CARACAS AT THE END OF 1979 OR EARLY IN 1980, IF THE CONFERENCE MAINTAINED THE PROGRESS IT HAD REGISTERED AT GENEVA. THIS WAS GRATIFYING AFTER THE HARD STATEMENTS THAT WE HAD MADE AFTER THE 6TH SESSION. RICHARDSON NOTED THAT THE CONFERENCE WAS MAKING SIGNIFICANT PROGRESS, ESPECIALLY ON NON-SEABEDS ISSUES. ON SEABEDS ISSUES A SPIRIT OF REALISM SEEMED TO BE DEVELOPING AT THE CONFERENCE WHICH COULD LEAD TO ACCOMMODATION. RICHARDSON NOTED THAT US AND OTHER SEABED MINING COMPANIES HAVE LEGITIMATE CONCERNS ABOUT THE KIND OF REGIME WHICH MIGHT BE ESTABLISHED, FOR ONLY THEY ARE PREPARED TO MAKE THE LARGE INVESTMENTS REQUIRED TO MAKE SEABED MINING A REALITY. PEREZ ACKNOWLEDGED THE INTEREST OF THE COMPANIES, AND THAT ONLY THEY WERE IN A POSITION TO MAKE THE INVESTMENTS REQUIRED, BUT HE STRESSED HIS WELL KNOWN VIEW THAT DEVELOPMENT OF SEABED RESOURCES SHOULD BE FOR THE BENEFIT OF ALL MANKIND AND FUTURE GENERATIONS. HE ALSO EXPRESSED CONCERN ABOUT POSSIBLE UNILATERAL ACTION BY THE US AND OTHER COUNTRIES WISHING TO ENGAGED IN SEABED MINING. RICHARDSON ASSURED PEREZ THAT THE CONFIDENTIAL

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CARTER ADMINISTRATION SHARED A COMMITMENT TO THE COMMON HERITAGE OF MANKIND. HE NOTED THAT THE CONFERENCE HAS NOW WORKED OUT PROCEDURES TO ASSURE FAIR AND OPEN NEGOTIATION AND THAT ITS APPROACH IS REALISTIC AND MODERATE. HE THOUGHT IT POSSIBLE TO ACCOMMODATE BOTH THE CONCEPT OF INTERNATIONAL AND PRIVATE DEVELOPMENT OF SEABED RESOURCES. FOR THIS REASON HE COULD FORESEE THAT THE RETURN OF CARACAS FOR THE SIGNATURE OF A TREATY WAS A REALISTIC HOPE. TURNING TO OUTSTANDING ISSUES, PEREZ EMPHASIZED THAT AS FAR AS VENEZUELA WAS CONCERNED PROVISION FOR A REVIEW OF THE SYSTEM OF EXPLOITATION WAS THE KEY TO A TREATY: THERE MUST BE THE POSSIBILITY OF CHANGING THE PARALLEL SYSTEM. RICHARDSON STRESSED THE CONCERN OF THE POTENTIAL MINING COUNTRIES WITH SECURITY OF CONTRACTS GRANTED TO THEM BY THE AUTHORITY, NOTING THAT THEY ARE CONCERNED ABOUT A STRUCTURE WHICH WILL BE SUBJECT TO A MAJORITY VOTE ON THE BASIS OF ONE NATION, ONE VOTE WITHOUT REGARD TO SUCH INTERESTS AS INVESTMENT IN SEABED MINING, DEPENDENCE ON CONSUMPTION OF SEABED MINERALS, ETC. WHILE THE ENTERPRISE NEEDS TECHNOLOGY AND FUNDS TO GET INTO BUSINESS, PRIVATE ENTITIES ALSO NEED APPROPRIATE PROTECTION. RICHARDSON STRESSED THAT THE CONFERENCE HAS ACHIEVED A GREAT DEAL AND THAT THE IMPORTANCE

OF THE TREATY AS A WHOLE IS GREATER THAN ITS INDIVIDUAL PARTS. WE ARE DEVELOPING PRECEDENTS FOR INTERNATIONAL COOPERATION IN A HIGHLY COMPLEX FIELD. HE SAID THAT IF HE HAD BEEN SHARPLY CRITICAL OF THE WORK OF THE CONFERENCE, IT WAS BECAUSE OF CONCERN THAT THE RESULT OF NEGOTIATIONS COULD BE THAT THE SENATE WOULD NOT GIVE ITS ADVICE AND CONSENT TO RATIFICATION. IT WOULD BE A DIS-SERVICE TO THE CONFERENCE NOT TO MAKE CLEAR WHAT IT WOULD BE REASONABLE TO EXPECT THE US TO ACCEPT. AS IN THE CASE OF THE PANAMA CANAL TREATIES ONE WOULD HAVE TO FACE THE CHARGE OF GIVING AWAY OF US RIGHTS. EVERY CONCESSION WE HAVE MADE TO THE DEVELOPING COUNTRIES HAD BEEN ATTACKED BY SOME AS A SURRENDER OF US RIGHTS. WE MUST THEREFORE BE ABLE TO DEMONSTRATE THAT THERE IS REASONABLE PROVISION FOR AMERICAN

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COMPANIES TO GAIN ACCESS TO THE SEABEDS; PRIVATE ENTERPRISE ALONG WITH THE INTERNATIONAL AUTHORITY MUST HAVE A SECURE OPPORTUNITY TO DEVELOP SEABEDS RESOURCES. IF WE CANNOT DO SO, THERE WILL BE NO CHANCE OF GETTING SENATE APPROVAL. BUT AS LONG AS BOTH SIDES ARE REALISTIC THE BASIS FOR ACCOMODATION EXISTS. PEREZ SAID HE SHARED RICHARDSON'S CONCERN ABOUT RATIFICATION OF AN LOS TREATY. WE MUST, HE THOUGHT, CREATE A SENSE AMONG OUR RESPECTIVE PEOPLES THAT A TREATY IS IMPORTANT. HE AGAIN STRESSED HOW IMPORTANT A REVIEW CLAUSE IF FOR VENEZUELA. CONTINUING, HE SAID THAT AN LOS TREATY WOULD BE THE MOST IMPORTANT DEVELOPMENT IN THIS CENTURY: THE NEGOTIATORS, IF SUCCESSFUL, COULD GO DOWN IN HISTORY AS BUILDERS OF PEACE FOR THE FUTURE. PEREZ CONTINUED THAT IT WAS IMPORTANT NOT TO BE AFRAID TO MAKE CONCESSIONS; THE NEGOTIATORS ON THE PANAMA CANAL TREATIES HAD EVENTUALLY DONE SO AND GAINED A TREATY. RICHARDSON ACKNOWLEDGED THE IMPORTANCE FOR THE WORLD OF AN ACCEPTABLE TREATY. IT COULD SET A PRECEDENT FOR INTERNATIONAL COOPERATION IN THE MANAGEMENT OF COMMON RESOURCES MOST DELEGATES TO THE CONFERENCE REALIZE THIS, AND IT SUSTAINS THEM THROUGH DIFFICULT PERIODS. HE PRAISED THE ROLE OF THE VENEZUELAN DELEGATION UNDER AGUILAR AS ONE OF WHICH THE GOVERNMENT OF VENEZUELA COULD BE PROUD, ADDING THAT OUR COLLABORATION IN LOS REINFORCED THE COOPERATION OF THE US AND VENEZUELAN GOVERNMENTS IN OTHER FIELDS. PEREZ CONCLUDED BY ADDING THAT TOGETHER WE CAN ACHIEVE MUCH; BOTH THE US AND VENEZUELA NEED EACH OTHER IN AN INTERDEPENDENT WORLD.

4. CONSALVI:

RICHARDSON'S TALK WITH CONSALVI WAS ALSO VERY CORDIAL BUT BRIEFER AND MORE GENERAL. CONSALVI STRESSED THAT THE INVITATION OF THE GOVERNMENT OF VENEZUELA TO THE CONFERENCE TO HAVE THE SIGNING CEREMONY IN CARACA WAS FIRM, BUT HE

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THOUGHT IT COULD NOT TAKE PLACE BEFORE THE END OF 1979 AT THE EARLIEST. RICHARDSON NOTED THAT THE US ADMINISTRATION IS BEING CHARGED BY DOMESTIC CRITICS WITH BEING TOO MODERATE AT THE CONFERENCE. IT WAS IRONIC THEREFORE TO BE IN CARACAS WHERE THE VENEZUELAN GOVERNMENT'S PERCEPTION WAS THAT THE US DELEGATION WAS BEING TOO TOUGH. RICHARDSON THOUGHT EACH SIDE AT THE CONFERENCE MUST REALIZE THAT A FINAL AGREEMENT WILL BE ATTACKED AT HOME. WE ARE MAKING SIGNIFICANT PROGRESS, BUT NEGOTIATING ROOM OF THE US DELEGATION WAS SIGNIFICANTLY LIMITED. THERE WAS A DISTINCT DANGER OF REJECTION OF A TREATY BY THE SENATE IF WE DON'T GET RESULTS WHICH ARE CONDUCIVE TO MAKING THE KINDS OF INVESTMENT IN SEABED MINING WHICH ARE REQUIRED TO MAKE IT A REALITY.

THE G-77, RICHARDSON SAID, WANT A VIABLE REGIME UNDER THD INTERNATIONAL AUTHORITY, BUT UNLESS THE FINAL PRODUCT GIVES REASONABLE ASSURANCE TO PRIVATE SEABED MINING COMPANIES THAT THEY WILL BE ABLE TO MINE UNDER FAIR, ECONOMIC CONDITIONS, THERE WILL BE NO MINING AT ALL. RICHARDSON SAID THAT WE THREFORE MUST HAVE A RESULT WHICH WILL ATTRACT PRIVATE INVESTMENT. IT IS IMPORTANT FOR THE WORLD AS A WHOLE TO

PRESERVE A ROLE NOT ONLY FOR AN INTERNATIONAL AUTHORITY BUT PRIVATE CAPITAL AS WELL. IT WOULD BE A DISSERVICE TO THE WORLD COMMUNITY TO MAKE ALL INVESTMENTS THROUGH THE EQUIVALENT OF A STATE CORPORATION.

CONSALVI ACKNOWLEDGED THAT RICHARDSON HAD NOTED IMPORTANT OUTSTANDING ISSUES. HE THOUGHT RICHARDSON'S VISIT COULD BE AN IMPORTANT STEP TO BRIDGE DIFFERECNES BETWEEN THE DEVELOPED AND DEVELOPING COUNTRIES. VENEZUELA HAS A POSITIVE APPROACH TO THE CONFERENCE, HE SAID, AND ODES NOT OVERLOOK THE MAJOR INTERESTS THE US HAS IN THE CONFERENCE. BUT, HE ADDED, VENEZUELA CANNOT YIELD ON POSITIONS OF PRINCIPLES. HE NOTED THAT PRESIDENT PEREX TAKES A KEEN INTEREST IN LOS AND WAS LOOKING FORWARD TO SEEING RICHARDSON.

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RICHARDSON TOO HOPED HIS TALKS WOULD HAVE A LONG TERM IMPACT ON THE CONFERENCE, FOR THE VENEZUELAN DELEGATION HAS GREATER INFLUENCE AT THE CONFERENCE THAN ANY OTHER LATIN AMERICAN DELEGATION. TO THE EXTENT THAT THE US AND VENEZUELA CAN AGREE ON OUTSTANDING ISSUES, THERE COULD BE A VERY POSITIVE SPILLOVER INTO THE CONFERENCE ITSELF.
CROWLEY

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